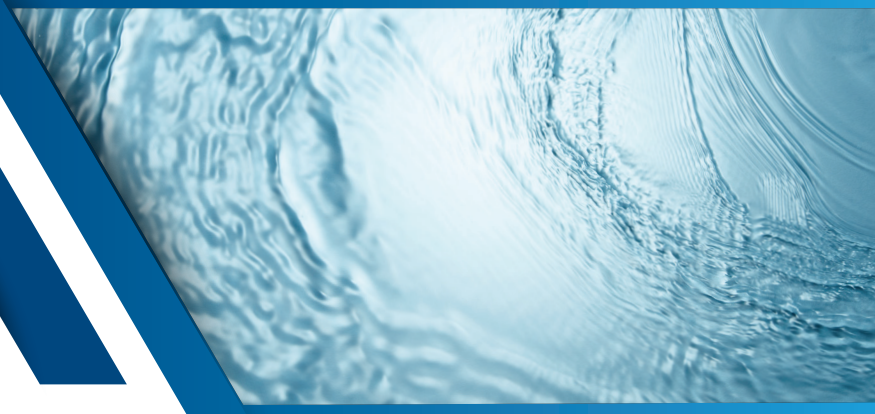
119th U.S. Congress Public Policy Priorities:

WATER RESILIENCY



The American Public Works Association (APWA), representing over 32,000 public works professionals in North America, is committed to making water infrastructure safer, more resilient, and best able to meet the changing needs of the 21st century.

APWA applauded the Infrastructure Investment and Jobs Act (IIJA) and its $1.2 trillion federal investment over 5 years, which demonstrated an important commitment and partnership between the federal, state, and local levels of government. Since then, we have advocated for full funding for programs that support maintenance and development of water infrastructure such as State Revolving Funds (SRFs), Water Infrastructure Finance and Innovation Act (WIFIA), Rural Utilities Service, Public Water System Supervision grants, and the Public Works and Economic Development program.

APWA urges Congress to start negotiations this session for predictable, and adequate long-term infrastructure funding at similar levels. Private sector capacity will be responsive to stable funding, avoiding the 20-30% sudden cost escalations experienced by municipal contracting since IIJA was passed. Consulting, contractor, and manufacturing capacity still needs time to catch up to IIJA funding levels without charging a premium to taxpayers. This condition is exacerbated by regulatory changes that make achieving compliance even more challenging.

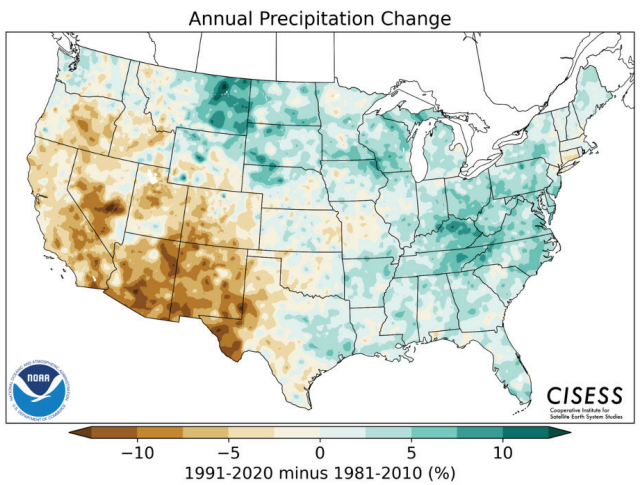
Stakeholders must work together to build on the opportunities IIJA is creating through successful implementation. To enhance this goal, APWA supports the following:

RESILIENCE AND STEWARDSHIP

- Ensuring flexibility and funding levels meet the need for replacing lead service lines.
- Targeted improvements to systems for natural hazards, cybersecurity vulnerabilities, or extreme weather by fully funding the Midsize and Large Drinking Water System Resilience and Sustainability and Clean Water Infrastructure Resiliency and Sustainability programs.
- Programs such as the Water SMART Drought Response, which assists state, local, tribal, and critical service entities with drought-related activities and expands the technology transfer of drought and water conservation strategies.
- EPA encouraging the development of water providers' regional preparedness and response plans in cooperation with local, state, and federal agencies, and requiring these plans mitigate negative economic, social, and environmental impacts caused by a lack of available water or flooding.
- Using the tenets of the National Water Reuse Action Plan as policy guidance for current and future federal, state, and local programs.
- Creating incentives to reward proper asset management and help reverse the decline and failure of water infrastructure.
- Providing additional resources and flexibility for localities seeking to rehabilitate or remove dams, particularly when improvements are made that are beneficial to the environment and safety.

UPDATE

- Regulatory standards informed by thorough research, peer-reviewed studies, and comprehensive cost-benefit analysis.
- Public works is at the forefront of addressing emerging contaminants, like Per- and polyfluoroalkyl substances (PFAS), and must be included in conversations with regulators and other relevant stakeholders on safety and science. Public works that abide by best practices for on-site treatment and disposal of biosolids should not be held liable for issues they did not create; unwarranted legal expenses hinder investments in system improvements and raise costs for communities.





- A time-sensitive waiver process for "Buy America" provisions requiring an assessment within 30 days or resulting in automatic approval would provide clarity and relief from supply challenges. For specific equipment, EPA should leverage use of its existing supply-chain-disruption webpage to inform waiver decisions using real-time submissions. For achieving compliance with new or tightened regulations, waivers should encompass all equipment required for upgrading, be for the duration of implementation, and cover the whole country.
- Full funding for agencies to hire enough appropriately trained staff, budget for extensive outreach and provide needed technical assistance to applicants whether from the agency or through partner organizations.
- Continuing to facilitate EPA movement towards implementing a comprehensive, integrated planning approach to all Safe Drinking Water Act (SDWA) and Clean Water Act (CWA) permitting (drinking, wastewater, stormwater, combined sewer overflow) so maximum flexibility and cost effectiveness are implemented in the decision-making process.
  - Including affordability and cost effectiveness for the service provider and customer as a basic tenet within SDWA and CWA permitting processes, while understanding affordability varies by community, region, and economic conditions.
- EPA facilitating states to incorporate a more coordinated, cooperative, and communicative water management strategy plan in regulatory and grant programs.
- EPA using comprehensive planning, data, and analytical methods in regulatory and grant programs.
  - Plans should include land-use planning, proactive mitigation, resource stewardship, environmental conservation, metrics/measurement of per capita use, and public education as the basis of the initiative.
- Retaining cost-benefit analyses and feasibility studies as key components when developing new or revising existing regulations.
- Enhancing financing mechanisms for investment. Preserve the tax-exempt status of municipal bonds. Lift the Private Activity Bonds cap for water infrastructure projects. Restore advance refunding of tax-exempt municipal bonds.

STREAMLINE

- Adhering to the "One Federal Decision" process, which IIJA and the Fiscal Responsibility Act codified into law to provide a more predictable, transparent, and timely federal review and authorization process for projects.
- Encouraging the federal government and industry to coordinate with state and local governments on projects. – Enhancing local control is key to successfully designing, maintaining, and operating infrastructure.
- When revising regulations for streamlining, retaining analyses such as cumulative impacts to account for maximum cost benefit analysis and environmental impacts.
- Opposing unfunded mandates and limiting local governing authorities' ability to appropriately control use of public rights-of-way.
- Allowing states with regulations that exceed federal law to use their procedures as evidence of compliance with national standards and remove the 2-year window for environmental lawsuits.
- SRF requirements should include language to greatly reduce impediments like burdensome financial costs that deter communities from applying for funding in a timely manner.
- Adding a "fast track waiver" or "partial waiver process" for small projects receiving less than $5 million in federal funding or that use federal funds for less than 25% of total project costs from applicable federal regulatory requirements such as some or all aspects of Environmental Assessment.

WORKFORCE

APWA supports dedicated funding for workforce programs authorized by IIJA. Stand-alone legislation should promote flexibility of funds to stand up our nation's workforce as well as enhance initiatives such as adult career and technical training opportunities. With our nation facing workforce shortages, workforce must be a high priority. As the leader in public works education and credentialing programs, APWA encourages and values continual education and professional growth opportunities for those who build, operate, and maintain our nation's infrastructure. Ensuring IIJA-authorized programs, such as the *Innovative Water Infrastructure Workforce Development program*, are fully funded will allow our workforce to remain well-trained and on the cutting edge of their career fields to best support our nation's infrastructure needs, economy, and quality of life.



All forms of water – drinking water, wastewater, stormwater, and runoff, along with the infrastructure to collect, treat, store and convey water – must be considered an asset to be preserved and protected. All water on earth follows a natural cycle and is continuously used and reused in different forms.

APWA members are dedicated to providing essential and high-quality services to millions of people in rural and urban communities, both small and large. Our members serve in both the public and private sectors providing expertise to all levels of government. Working in the public interest, they plan, design, build, operate and maintain, and oversee America's vast water resource networks, as well as other key infrastructure assets essential to our nation's economy, environment, and way of life.

APWA Government Affairs
119th United States Congress

WATER RESILIENCY

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